

1 BILL NO. S-82-09- 45

2 SPECIAL ORDINANCE NO. S- 186-82

3 AN ORDINANCE approving a Contract
4 between the Fort Wayne Water Utility
5 and Huguenard Corporation for the
6 construction of a water main system,
7 in connection with the Board of Public Works.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
9 FORT WAYNE, INDIANA:

10 SECTION 1. That a certain Contract dated September
11 8, 1982 between the Fort Wayne Water Utility of the City of
12 Fort Wayne, Indiana, by and through its Mayor and the Board
13 of Public Works and Huguenard Corporation, for:


14 the construction of a water main system
15 to service the Congressional Industrial
16 Park, Section I;

17 of which said Huguenard Corporation shall pay the entire cost
18 and expense, all as more particularly set forth in said Contract,
19 which is on file in the Office of the Board of Public Works
20 and is by reference incorporated herein, made a part hereof
21 and is hereby in all things ratified, confirmed and approved.
22 Two copies of said Contract are on file in the Office of the
23 City Clerk and made available for public inspection, according
24 to law.

25 SECTION 2. That this Ordinance shall be in full force
26 and effect from and after its passage and any and all necessary
27 approval by the Mayor.

28 
29 Councilmember

30 APPROVED AS TO FORM
31 AND LEGALITY

32 
Bruce O. Hoxberger, City Attorney

Read the first time in full and on motion by Burns, seconded by Burns, and duly adopted, read the second time by title and referred to the Committee City Matters (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 9-28-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED ~~(LOST)~~ by the following vote:

| | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> | <u>TO-WIT:</u> |
|--------------------|-------------|-------------|------------------|---------------|----------------|
| <u>TOTAL VOTES</u> | <u>9</u> | _____ | _____ | _____ | _____ |
| <u>BRADBURY</u> | <u>✓</u> | _____ | _____ | _____ | _____ |
| <u>BURNS</u> | <u>✓</u> | _____ | _____ | _____ | _____ |
| <u>EISBART</u> | <u>✓</u> | _____ | _____ | _____ | _____ |
| <u>GIAQUINTA</u> | <u>✓</u> | _____ | _____ | _____ | _____ |
| <u>SCHMIDT</u> | <u>✓</u> | _____ | _____ | _____ | _____ |
| <u>SCHOMBURG</u> | <u>✓</u> | _____ | _____ | _____ | _____ |
| <u>SCRUGGS</u> | <u>✓</u> | _____ | _____ | _____ | _____ |
| <u>STIER</u> | <u>✓</u> | _____ | _____ | _____ | _____ |
| <u>TALARICO</u> | <u>✓</u> | _____ | _____ | _____ | _____ |

DATE: 10-12-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ZONING MAP)~~ (GENERAL) ~~(ANNEXATION)~~ (SPECIAL)

~~(APPROPRIATION)~~ ORDINANCE ~~(RESOLUTION)~~ NO. 5-186-82
on the 12th day of October, 1982.

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of October, 1982, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 18th day of October, 1982, at the hour of 9 o'clock A. M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR. - MAYOR

BILL NO. S-82-09-45

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON City Utilities TO WHOM WAS REFERRED AN
ORDINANCE approving a Contract between the Fort Wayne Water
Utility and Huguenard Corporation for the construction of a
water main system, in connection with the Board of Public Works

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE PS PASS.

PAUL M. BURNS - CHAIRMAN

MARK E. GIAQUINTA - VICE CHAIRMAN

JAMES S. STIER

JANET G. BRADBURY

ROY J. SCHOMBURG

CONCURRED IN
DATE 4/2/82 CHARLES W. WESTERMAN, CITY CLERK

73-82-25
9/8/82

CONTRACT NO. 8203

BOARD ORDER NO. 165 -82

WORK ORDER NO. 63583

THIS AGREEMENT, made and entered into this 8 day of September, 1982, by and between HUGUENARD CORPORATION, hereinafter called CONTRIBUTOR, and the FORT WAYNE WATER UTILITY of the City of Fort Wayne, Indiana, by and through the Mayor, and the BOARD OF PUBLIC WORKS of said City, hereinafter called UTILITY, WITNESSETH:

That the said CONTRIBUTOR and the said UTILITY for the considerations hereinafter named, agree as follows:

1. That the UTILITY and the CONTRIBUTOR shall proceed dependent upon procurement of materials and labor and with reference to other similar work of said parties to construct water main system including all necessary fittings to serve Congressional Industrial Park, Section I, as follows:

On Congressional Parkway from the existing 12" water main 660± feet west of Goshen Road, westward 590± feet; also on Banner Drive from Congressional Parkway to Independence Drive.

Said water main system to include: 1130± LF of 12" water main.

2. That said water main system shall be constructed according to the standards, plans, and specifications of the UTILITY or approved by the UTILITY, which are on file in the office of the Engineering Department of the UTILITY, and by reference made a part hereof; and the said UTILITY shall furnish water thru said system, when completed, in accordance with rules and regulations of said UTILITY and the laws, ordinances and regulations applicable thereto, now in force, or that may hereafter be adopted.

It is, however, understood and agreed that the UTILITY will not furnish water thru any part or parts of the water main covered hereunder unless and until the entire system shall have been tested, disinfected, and placed in service and accepted by said UTILITY.

3. It is understood and agreed by and between the parties of this contract that the CONTRIBUTOR shall furnish all materials, contractual labor and equipment for the construction of said water main system through Geiger Development, Inc. at a cost of nineteen thousand two hundred thirty-two dollars and no cents (\$19,232.00), and that said CONTRIBUTOR shall pay the UTILITY upon execution of this contract for the necessary labor for inspecting, pressure testing, disinfection, and engineering at a cost of one thousand thirty-five dollars and no cents (\$1,035.00). Therefore, the total cost of said water main system is twenty thousand two hundred sixty-seven dollars and no cents (\$20,267.00) and which amount is the contract price of this AGREEMENT.
4. The UTILITY may approve the extension of additional water mains from the water mains covered in this Contract without incurring any financial obligations to the CONTRIBUTOR under this Contract.

WECONT
JOB G
remove 9/20/82

5. It is further understood and agreed that, upon completion of said water main system, the CONTRIBUTOR or his contractor shall file a COMPLETION AFFIDAVIT and a MAINTENANCE BOND with the Board of Public Works of the City. The MAINTENANCE BOND shall run for a minimum period of one (1) year from the date of the acceptance of the said system by the CITY and shall be in the minimum amount of four thousand eight hundred dollars and no cents (\$4,800.00). After receipt of the COMPLETION AFFIDAVIT and MAINTENANCE BOND, the UTILITY will make final inspection of the project. Upon finding the project to be acceptable and in full compliance with the standards and specifications of the UTILITY the Board of Public Works will issue a letter of acceptance of the project to the CONTRIBUTOR. Upon issuance of the acceptance letter, and in accordance with the terms of that letter, the water main and fittings installed under this contract shall form and be a part of the water works system of said UTILITY, and all rights, title, and interest whatsoever in said water main system shall become and remain in the City of Fort Wayne, Indiana.

WITNESS THE HANDS AND SEALS OF SAID PARTIES the day and year are first above written.

CITY OF FORT WAYNE, INDIANA

BY: Win Moses, Jr.

Win Moses, Jr., Mayor

BOARD OF PUBLIC WORKS:

Stephen A. Bailey
Stephen A. Bailey, Chairman

Roberta Anderson Staten
Roberta Anderson Staten, Member

ATTEST:

Sandra E. Kennedy
Sandra E. Kennedy, Clerk

Betty R. Collins
Betty R. Collins, Member

APPROVED AS TO FORM AND LEGALITY:

R. D. Snodgrass
ASSOCIATE CITY ATTORNEY

CONTRIBUTOR:

HUGUENARD CORPORATION

BY: Ronald E. Huguenard
Ronald E. Huguenard, President

BY: Jean Huguenard
Jean Huguenard, Secretary

Prepared by:
Terry L. Atherton P.E.
Chief Water Engineer

ACKNOWLEDGMENT

STATE OF INDIANA))
)) SS:
COUNTY OF ALLEN))

BEFORE ME, a Notary Public, in and for said County and State, this 8th day of September, 1982, personally appeared the within named WINFIELD C. MOSES, JR., Mayor of the City of Fort Wayne; STEPHEN A. BAILEY, ROBERTA ANDERSON STATEN, and BETTY R. COLLINS members of the Board of Public Works, City of Fort Wayne, Indiana; and SANDRA E. KENEDY Clerk of the Board of Public Works, City of Fort Wayne, Indiana, to me personally known, who being by me duly sworn said that they are respectively the Mayor of the City of Fort Wayne, the Members and Clerk of the Board of Public Works of the City of Fort Wayne, Indiana, and that they signed said instrument on behalf of the FORT WAYNE WATER UTILITY of the City of Fort Wayne, Indiana, with full authority so to do and acknowledged said instrument to be the voluntary act and deed of said Department of said City for the uses and purposes therein set forth.

IN WITNESS WHEREOF, hereunto subscribed my name, affixed my official seal.

Sharon J. Helmsing
Notary Public

Type or Print Name of Notary

My Commission Expires:
SHARON J. HELMSING, Notary Public
Resident of Allen County

My Commission Expires July 6, 1986

WECONT
JOB 0

ACKNOWLEDGMENT

STATE OF INDIANA:

SS:

COUNTY OF ALLEN:

BEFORE ME, a Notary Public, in and for said County and State, this 5/8
day of August, 1982, personally appeared the within named
Ronald E. Huguenard and Jean Huguenard, who being by me first duly sworn
upon their oaths say that they are the President and Secretary respectively,
of the Huguenard Corporation and as such duly authorized to execute the
foregoing instrument and acknowledged the same as the voluntary act and
deed of Huguenard Corporation for the uses and purposes therein set forth.

IN WITNESS WHEREOF, hereunto subscribed my name, affixed my official seal.

Suzanne Voelker
NOTARY PUBLIC

SUZANNE VOELKER
Type or Print Name of Notary

MY COMMISSION EXPIRES:

11-18-84

TITLE OF ORDINANCE Water Contract 8203

DEPARTMENT REQUESTING ORDINANCE Board of Public Works

1-82-05-45

SYNOPSIS OF ORDINANCE Contract between the Fort Wayne Water Utility and Huguenard Corporation for the construction of a water main system to serve Congressional Industrial Park, Section I. Huguenard Corporation shall furnish all materials, contractual labor and equipment for the construction of said water main system through Geiger Development, Inc. at a cost of \$19,232.00 and they shall also pay the Utility upon execution of this contract for the necessary labor for inspecting, pressure testing, disinfection, and engineering at a cost of \$1,035.00

EFFECT OF PASSAGE water main to serve the area

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (DIRECT COSTS, EXPENDITURE, SAVINGS) _____

ASSIGNED TO COMMITTEE _____